

THE HYDERABAD JAGIRS
(COMMUTATION) REGULATION, 1359 F.

No. XXV OF 1359 F.

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***THE HYDERABAD JAGIRS (COMMUTATION)
REGULATION, 1359 F.**

No. XXV OF 1359 F.

WHEREAS it is expedient to provide for the termination of the interim allowance payable under the Hyderabad (Abolition of Jagirs) Regulation, 1358 F. and for the determination of the terms of commutation of Jagirs ;

Now, THEREFORE, in exercise of the authority vested in me for the administration of the Hyderabad State and of all other powers enabling me in this behalf, I hereby make the following Regulation:—

1. (1) This Regulation may be called the Hyderabad Jagirs Short title
(Commutation) Regulation, 1359 F. and com-
mencement.

(2) It shall come into force from the date of its publication in the Jarida.

2. In this Regulation unless there is any thing repugnant Definitions.
in the subject or context—

(a) “ Jamiat Jagir ” means a Jagir specified in the Schedule ;

(b) “ prescribed ” means prescribed by rules made under this Regulation ;

(c) “ said Regulation ” means the Hyderabad (Abolition of Jagirs) Regulation, 1358 F. ;

(d) words and expressions defined in section 2 or section 7 of the said Regulation shall have the meaning assigned to them therein.

3. The commutation sum for every jagir shall be the sum Calculation
resulting from the multiplication of the basic annual revenue of com-
of the jagir calculated in accordance with section 4 by the figure mutation
specified in the appropriate entry in the second column of the sum.
annexed table :

Provided that for any jagir for which the commutation sum so calculated would be less than the alternative sum specified in the appropriate entry in the third column of the annexed

* Published in the Extraordinary Jarida No. (29) dated 25th January, 1950.

table the commutation sum shall be the alternative sum so specified.

Basic annual revenue	Figure by which to be multiplied	Alternative sum
1	2	3
		Rs.
1. Rs. 2,000 or less	30	..
2. More than Rs. 2,000 but not more than Rs. 5,000	25	60,000
3. More than Rs. 5,000 but not more than Rs. 25,000.	20	1,25,000
4. More than Rs. 25,000 but not more than Rs. 50,000	17½	5,00,000
5. More than Rs. 50,000 but not more than Rs. 1,00,000	15	8,75,000
6. More than Rs. 1,00,000 but not more than Rs. 2,00,000	12½	15,00,000
7. More than Rs. 2,00,000	10	25,00,000

Calculation
of basic
annual
revenue.

4. (1) The basic annual revenue of a jagir shall be calculated as follows—

(a) the gross basic sum shall first be ascertained in accordance with sub-section (2);

(b) in the case of a Jamiat jagir the gross basic sum shall be reduced by 20 per cent. and the sum resulting from this reduction shall be the net basic sum;

(c) 60 per cent shall be deducted—

(i) in the case of a jagir other than a Jamiat Jagir from the gross basic sum, and

(ii) in the case of a Jamiat Jagir from the net basic sum, and the sum resulting from this deduction shall be the basic annual revenue.

(2) The gross basic sum shall be the average annual gross revenue of the Jagir for the ten years opening with the year 1347 F. and ending with the year 1356 F. :

Provided that where any items of gross revenue other than excise revenue are not ascertainable for all the said ten years, the gross basic sum shall be the average annual excise revenue for the said ten years plus the average of other items of gross

revenue for those of the years included in the said ten years for which they are ascertainable.

5. (1) The commutation sum for every jagir shall be determined by the Jagir Administrator or by an officer authorised by him in this behalf. Determination of commutation sum.

(2) Any person aggrieved by the determination of a commutation sum under sub-section (1) may, within 30 days of the communication to him of the determination, appeal against the same to Government who shall, after giving the appellant a reasonable opportunity of being heard, either confirm the determination or revise it in such manner as they think fit.

(3) Save as provided in sub-section (2), the determination of commutation sum under this section shall be final and shall not be called in question in any civil or revenue Court.

6. The commutation sum for every jagir shall be distributable between the Jagirdar and Hissedars in the like proportions as the net income was distributable under section 11 of the said Regulation, and where under section 12 of the said Regulation the share of the net income payable to a Jagirdar or Hissedar was subject to deduction on account of any maintenance allowance, the share of the commutation sum payable to such Jagirdar or Hissedar shall be subject to a deduction bearing to that share the same proportion as the deduction made under section 12 of the said Regulation bore to the share of the net income payable to the person concerned. Distribution of commutation sum.

7. (1) The appropriate share of the commutation sum shall be payable to every person entitled to participate in the distribution thereof in such form and manner and yet such time or times and in such number of instalments as may be prescribed: Payment of commutation sum; cessation of interim allowances.

Provided that if at the time prescribed for the payment of any such share or instalment the person entitled to receive payment of the sum is in dispute, the amount of the share or instalment shall be deposited with the prescribed authority in the prescribed manner and subject to the prescribed conditions.

(2) The payment to a Jagirdar or Hissedar of his appropriate share in the commutation sum of the Jagir shall constitute the final commutation as from the 1st April, 1950, of his rights in the jagir and if any payment by way of an interim maintenance allowance under the said Regulation is made in respect of a period the whole or part of which is subsequent to the said date, the amount of such payment or, as the case may be, the appropriate proportion of such amount shall be recovered from the recipient thereof by deduction from the first payment made to him on account of his share in the commutation sum for the jagir.

8. Any amount recoverable on account of a loan granted by Government to a Jagirdar or Hissedar may be recovered by deduction from any amount payable to the Jagirdar or Hissedar under this Regulation on account of his share in the commutation sum for the jagir. Recovery of loans by Government.

Restriction
on alienation
and attach-
ment.

9. The share of a Jagirdar or Hissedar in the commutation sum for a jagir, and the maintenance allowance of a Guzarayab, shall be inalienable save with the previous sanction of Government, and not more than one half of such share or allowance shall be liable to attachment and sale in any one year of account in execution of a decree.

Special
provision
for jagirs
granted to
temples, etc.

10. (1) The provisions of this Regulation shall apply so far as may be to any jagir granted to a temple or mosque or to any institution established for a religious or public purpose.

(2) In the case of any such jagir Government shall make an annual grant commencing from the year opening with the 1st April, 1950, for the service of the temple, mosque or other institution, the amount of which grant shall be equivalent to one-half of the gross basic sum referred to in sub-clause (i) or, as the case may be, the net basic sum referred to in sub-clause (ii) of clause (c) of sub-section (1) of section 4.

Rules.

11. (1) Government may by notification in the Jarida make rules to carry out the purposes of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for the matters which under this Regulation are to be or may be prescribed.

SCHEDULE.

[SECTION 2 (a)].

List of Jamiat Jagirs.

1. Paigah Asmanjahi.
 2. „ Khurshid Jahi.
 3. „ Vicar-ul-Umra.
 4. Jagir of late Nawab Salar Jung Bahadur.
 5. Samasthan of Wanparthy.
 6. „ of Gadwal.
 7. Jagir of Rajah Sham Raj Bahadur.
 8. „ of Nawab Ghazi Jung Bahadur.
 9. „ of late Nawab Kamal Yar Jung Bahadur.
 10. „ of late Nawab Shaukat Jung Bahadur.
 11. „ of late Nawab Mehdi Jung Bahadur.
 12. „ of Nawab Ali Yar Jung Bahadur.
 13. „ of Nawab Dost Mohd. Khan.
 14. „ of Khaja Behbud Ali Khan.
 15. „ of Shujaat Ali Khan.
 16. „ of Rahat Ali Khan.
 17. „ of Mir Imdad Ali Khan, s/o Azad Ali Khan.
 18. „ of Mirza Sardar Ali Khan, Qiledar of Malkhed.
 19. „ of Lt.-Col. Umar Daraz Khan, Qiledar of Golconda.
 20. Estate of Nawab Asker Jung Bahadur.
 21. „ of Nawab Surya Jung Bahadur.
 22. „ of Raja Krishna Rao.
 23. „ of Bhatambra.
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